THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

Writ Petition No.27120 of 2005

28.12.2005

BETWEEN

Azad Educational Society and another.

.....PETITIONERS

AND

All India Council for Technical Education, Indira Gandhi Sport Complex, I.P.Estate, New Delhi rep. By its Secretary.

.....RESPONDENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

Writ Petition No.27120 of 2005

ORDER:

The first petitioner is an Educational Society and the second petitioner is an Engineering College established by the first petitioner. They submitted an application to the respondent with a request to accord approval for establishing Bio Technology Course in their college. They complain of discrimination in the matter of adherence to the policy laid down by the respondent for according approval. The petitioners contend that though the respondent has taken a policy decision not to accord approval for starting Bio Technology Course in the new institutions, they have accorded such approval in favour of two institutions, by name, Bharat Institute of Engineering & Technology, Ibrahimpatnam and Gandhi Institute of Technology & Management, Visakhapatnam.

This Court was in fact impressed by the averments made by the petitioner in the affidavit and directed the learned Standing Counsel appearing for the respondent to obtain instructions as to the accuracy or correctness of the statements made by the petitioner. The learned Standing Counsel submits that the Bharat Institute of Engineering & Technology, Ibrahimpatnam was established in the year 2001, whereas the Gandhi Institute of Technology & Management, Visakhapatnam was established in the year 1997.

It is true that the proceedings, dated 23.11.2005, issued by the respondent in respect of two institutions referred to above leave an

impression as though the colleges were started in the year 2004-05 and during the current academic year. However, the reference to the two years referred to above, is in the context of existing strength. The entries in last column of statement disclose that the said colleges were established in the year 2001 and 1997 respectively.

In its policy statement relating to grant of approval for various courses, the respondent has categorically stated that no new institution shall be eligible to start under-graduate programme in Bio Technology. It is not in dispute that the second petitioner is a new institution. In that view of the matter, no relief can be granted to the petitioners at this stage.

The writ petition is accordingly dismissed. No costs.

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28.12.2005

VGB